

REMARKS

The Examiner in his Official Action dated June 30, 2004 has required restriction under 35 U.S.C. §121, stating that claims belong to,

Group I, namely Claims 9, 10, 23, 24, and 29, are "drawn to an administrator accessing, predefining and providing application responses to the links in a distributed network", classified in class 709, subclass 217; and

Group II, namely Claims 1-8, 11-14, 17-22, 25-28, and 30, are "drawn to identifying slow links in a distributed network by comparing the link speed factors and dynamically adjusting application usage of links in a distributed network by determining what specific applications requires (sic) access to a link", classified in class 709, subclass 223.

and that these groupings of claims are distinct from each other.

The Applicants comply with the restriction requirement without traverse and elect to prosecute the Group II claims at this time.

AUS920000829-US1

12

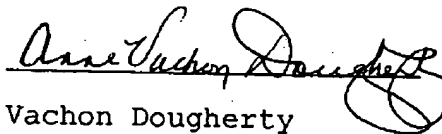
Applicants note, however, that Claims 15-16 have been omitted from the groupings. Applicants believe that Claims 15 and 16 belong in Group II, since they depend from Claim 11 which is in Group II, and due to the fact that the language of Claim 15 parallels that of Claim 1 of Group II and the language of Claim 16 parallels that of Claim 6 of Group II.

Therefore, Applicants elect to prosecute Claims 1-8, 11-22, 25-28 and 30. Accordingly, Claims 9, 10, 23, 24, and 29 are withdrawn from consideration at this time, without prejudice to Applicants' right to file a Divisional Application for said withdrawn claims.

Respectfully submitted,

Lorin Ullmann, et al

By:



Anne Vachon Dougherty
Registration No. 30,374
Tel. (914) 962-5910

AUS920000829-US1

13